

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF :

PETER LEE

V

COMMONWEALTH EDISON COMPANY

Complaint as to billing/charges)  
in Chicago, Illinois )

Chicago, Illinois

November 27, 2007

Met pursuant to notice at 10:00 a.m.

BEFORE :

MR. JOHN RILEY, Administrative Law Judge.

APPEARANCES :

MR. PETER LEE  
709 North Cicero Avenue  
Chicago, Illinois 60644  
appeared pro se;

MR. MARK L. GOLDSTEIN,  
108 Wilmot Road,  
Deerfield, Illinois 60015,  
appeared for the Respondent.

SULLIVAN REPORTING COMPANY, by  
Teresann B. Giorgi, CSR

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

I N D E X

<u>Witnesses:</u>	<u>Dir.</u>	<u>Crx.</u>	Re- <u>dir.</u>	Re- <u>crx.</u>	By <u>Examiner</u>
NONE					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
NONE		

1 JUDGE RILEY: Pursuant to the direction of  
2 the Illinois Commerce Commission I now call  
3 Docket 07-0524. This is a complaint of Peter Lee v  
4 Commonwealth Edison Company, as to billing and  
5 charges in Chicago, Illinois.

6 Mr. Lee, you are appearing without an  
7 attorney at this point, is that correct?

8 MR. LEE: That's correct.

9 JUDGE RILEY: And is it correct that the address  
10 that you're complaining about is 709 North Cicero  
11 Avenue, second floor, in Chicago?

12 MR. LEE: That's correct.

13 JUDGE RILEY: All right. Thank you.

14 Mr. Goldstein, would you enter an  
15 appearance for the record, please.

16 MR. GOLDSTEIN: On behalf of Commonwealth Edison  
17 Company, Mark L. Goldstein, 108 Wilmot Road,  
18 Suite 330, Deerfield, Illinois 60015. My telephone  
19 number is 847-589-5480. And I have with me today  
20 John Parise of ComEd.

21 JUDGE RILEY: Okay. Mr. Lee, as near as I can  
22 make out from your complaint, it appears to me

1 that -- well, let me ask you this: Is it correct to  
2 say that you received a series of estimated bills  
3 from the period --

4 MR. LEE: January '07 up until now, all of my  
5 bills have been estimated bills.

6 JUDGE RILEY: Okay. And that's, virtually, for  
7 the entire year --

8 MR. LEE: Yes, sir.

9 JUDGE RILEY: -- 2007.

10 MR. LEE: Yes, sir.

11 JUDGE RILEY: And did you subsequently receive a  
12 bill with an actual reading on it?

13 MR. LEE: Sir?

14 JUDGE RILEY: Did you receive a bill at any time  
15 with an actual reading?

16 MR. LEE: No, I haven't.

17 JUDGE RILEY: Okay.

18 MR. LEE: Even though they came out to read my  
19 meter, I still as of yet received actual reading and  
20 I requested it in September -- August '07.

21 JUDGE RILEY: Okay. But what is the basis of  
22 you saying that you were underbilled? Did somebody

1 from ComEd tell you you were underbilled?

2 MR. LEE: I received notice in the mail saying  
3 that they were going -- they -- not overcharged, but  
4 undercharged me during the entire year.

5 JUDGE RILEY: Okay.

6 MR. LEE: All of this came about when I  
7 requested an actual bill in August of '07, of this  
8 year.

9 JUDGE RILEY: Okay.

10 MR. LEE: Since then they sent me papers saying  
11 that I owed them 100 and some dollars because they  
12 hadn't been billing me correct for an entire year.

13 JUDGE RILEY: Okay. So it sounds to me like it  
14 was based on an actual bill -- or an actual reading  
15 that they took.

16 MR. LEE: If you have actual reading, you have  
17 actual bill. I never received one for the entire  
18 year. This is what started it all. This is what  
19 started this whole process in motion, because I  
20 requested an actual bill in August.

21 JUDGE RILEY: Okay. So you requested an actual  
22 reading.

1       MR. LEE:   Right.

2       JUDGE RILEY:  You wanted them to come out and

3 actually read the meter.

4       MR. LEE:   Actual bill.

5       JUDGE RILEY:  Okay.  Did they do that?  Did they

6 actually read your meter?

7       MR. LEE:   They did in September, but I haven't

8 received an actual bill yet.  All of my bills are

9 estimated.

10      JUDGE RILEY:  Okay.  So --

11      MR. LEE:   From January '07 until now, all of my

12 bills are estimated bills.

13      JUDGE RILEY:  Right.  Then what was their basis

14 for saying that you had been underbilled?

15      MR. LEE:   That's the reason I'm here.  I can't

16 find one.  All my bills are paid.  I do not owe them

17 anything.  Every bill I have has been paid up date

18 (sic).  And since I filed for this hearing, I have

19 found out they also had Counselor on my file, that

20 they had things in my file that I never knew about.

21 My bills are all paid.

22      JUDGE RILEY:  Right.  So you paid everything

1 every month.

2 MR. LEE: My bills are paid all up, even the  
3 last one, from '07 till now.

4 JUDGE RILEY: But they have sent you a bill  
5 saying that you have been underbilled.

6 MR. LEE: Right. Yes, sir.

7 JUDGE RILEY: And then they want more money.

8 MR. LEE: Yes, sir.

9 JUDGE RILEY: Over and above of what you've  
10 already paid.

11 MR. LEE: Yes, sir.

12 JUDGE RILEY: Okay. Do you have the bill that  
13 says that -- do you have the statement that says you  
14 were underbilled?

15 MR. LEE: Yes, sir. Yes, sir, I do.

16 These are all the bills from January  
17 till now, the estimate bills. And this is my  
18 receipt right here on the side, Judge. I have the  
19 original also with me today.

20 JUDGE RILEY: Right. Okay.

21 MR. LEE: Okay. Now, this is what I received in  
22 September -- September, either October from them,

1 stating that I owed them some money (indicating).

2 JUDGE RILEY: Okay.

3 MR. LEE: I have three copies (indicating).

4 From January '07 until now -- it's on  
5 one of these bills, I have it in writing from them,  
6 that says I owe them 100 and some dollars, from  
7 January until now.

8 As you can see, I've got all the  
9 bills. All of them have been paid. I got the  
10 receipt on the side of every bill.

11 MR. GOLDSTEIN: Judge, may I suggest something?

12 JUDGE RILEY: Yes, please.

13 MR. GOLDSTEIN: There is not a lot of money  
14 involved in this complaint. And perhaps if we can  
15 go off the record and have a discussion with  
16 Mr. Lee, we can resolve the matter.

17 JUDGE RILEY: How much -- what is the sum in  
18 dispute?

19 MR. LEE: Your Honor --

20 JUDGE RILEY: How much are they asking for?

21 MR. LEE: 100 and something. They already took  
22 it, your Honor. They've already taken it from me.



1 Even though I had paid all my bills from January up  
2 until now, they still took 100 and some dollars from  
3 me. It was a credit to my account. They taken it  
4 from me. That's the reason I'm here now.

5 JUDGE RILEY: All right.

6 MR. LEE: And I do not, I do not want anything  
7 need to be said -- could be said here, because you  
8 had a chance to call and correct this, you chose not  
9 to. No need no mediator, nothing. I want full  
10 hearing.

11 MR. GOLDSTEIN: Could we just set this for  
12 trial, Judge.

13 JUDGE RILEY: Okay. Hold on. Just everybody  
14 calm down right now. Let me look through this.

15 (Short pause.)

16 MR. LEE: Also, your Honor, my file has been  
17 closed. My file has been closed. I cannot get no  
18 information from ComEd because they angry because I  
19 filed a complaint against them.

20 JUDGE RILEY: Okay. Let me --

21 MR. LEE: So I cannot get nothing out of my file  
22 from the Company.

1 JUDGE RILEY: Let's go back.

2 It looks to me like from January  
3 through early part of September everything was  
4 perfectly normal. And then there's a bill issued  
5 September 26th, 2007, it's three pages long.

6 MR. LEE: Yes, sir. That's the bill --

7 JUDGE RILEY: Let me finish.

8 At the end, whereas you had been  
9 paying anywhere from, approximately, 30 to 55 or \$60  
10 a month for electricity, it suddenly --

11 MR. LEE: I've been paying a bill they sent me.

12 JUDGE RILEY: -- ballooned. It says, Total  
13 current charges, 524.63. Total other charges, it  
14 looks like a credit of 339.74. And then there's a  
15 total amount due of 184.89. And then on a bill  
16 issued October 8th, 2007, it's back down to 51.13  
17 for the current total charges and the total amount  
18 due of 52.96.

19 So this September 26th, 2007 bill  
20 issued is where the confusion lies.

21 Can ComEd explain it or -- Mr. Lee,  
22 first of all, let me ask you. Is this the bill that

1 you're complaining about, the one --

2 MR. LEE: I'm complaining about from January  
3 until now.

4 JUDGE RILEY: No, no. No. Listen to my  
5 question.

6 MR. LEE: It can't be no specific bill, your  
7 Honor. This is the one that started. They took the  
8 money from January up until now. I can't take half  
9 of this without going through all the contents.

10 JUDGE RILEY: Okay. What I'm saying is, if you  
11 look at these bills that you've shown me, and the  
12 amounts due, total due of 80.75, now this is in the  
13 dead of winter, 129.94; total amount due, 46.51;  
14 40.97; 36.39; there was a credit here, so there's  
15 only \$8.32 due; 47.04; 50.49; 55.06. And then, the  
16 55.06 was due on a bill issued September 7th, 2007.  
17 This is the bill I'm talking about. It's issued  
18 September 26th, 2007. It's three pages long.

19 MR. LEE: Yes, sir.

20 JUDGE RILEY: With all this breakdown.

21 MR. LEE: Yes, sir.

22 JUDGE RILEY: And all of a sudden it says, Total

1 charges, 524.63. For some reason there's a 339.74  
2 credit. And a total amount due of 184.89.

3 MR. LEE: I can't explain that, your Honor. I  
4 cannot. That's the reason --

5 JUDGE RILEY: That's what I'm asking. Is this  
6 the source of the dispute, then?

7 MR. LEE: Yes, sir. It's part of the basis. It  
8 is.

9 JUDGE RILEY: Okay. What -- and then on  
10 October 8th -- the bill dated October 8th, 2007, it  
11 goes back down to total amount due of 52.86 --

12 MR. LEE: Yes, sir.

13 JUDGE RILEY: -- 96.

14 MR. LEE: Yes, sir.

15 JUDGE RILEY: So that's my question. What  
16 caused that balloon on September 27, 2007?

17 MR. GOLDSTEIN: That's our question to answer, I  
18 guess.

19 JUDGE RILEY: Whoever can answer that.

20 MR. LEE: I can't answer because my file has  
21 been closed. I can't even get in my file.

22 JUDGE RILEY: Let me see what these gentlemen

1 have to offer.

2                   Mr. Lee, let's see what these  
3 gentlemen have to offer.

4       MR. GOLDSTEIN: My understanding is, Judge, in  
5 May 2007 there was an actual reading. And in  
6 September there was an actual reading. And based  
7 upon the actual readings from one to the next one,  
8 that's the basis of that bill being 180 some odd  
9 dollars.

10       JUDGE RILEY: All right. Let me ask this:  
11                   When ComEd does an actual reading,  
12 subsequent to several months of estimated readings,  
13 do they go back and reestimate from the beginning of  
14 the estimated readings?

15       MR. PARISE: You're kind of touching on it,  
16 your Honor.

17                   What they do is, they go back and they  
18 take a look at the actual bills -- the estimated  
19 bills that were rendered. If they appear to be in  
20 order, they take no action. If they appear to be  
21 out of line, what they'll do is, they'll cancel each  
22 of those bills they rendered, month by month by

1 month. And that's where the credit came from on  
2 that bill.

3 JUDGE RILEY: All right.

4 MR. PARISE: And then they reissue the bills,  
5 based on actual readings.

6 JUDGE RILEY: Based upon that one actual reading  
7 in May.

8 MR. PARISE: Based on that one actual reading.

9 JUDGE RILEY: Okay. And what they do then is,  
10 they reestimate then going back to January.

11 MR. PARISE: Correct.

12 JUDGE RILEY: Okay.

13 MR. LEE: Judge, your Honor, all these bills --  
14 I have the original bills, estimated bills.

15 JUDGE RILEY: Right.

16 MR. LEE: What do they base their finding on?  
17 What? I'm saying all my bills is estimated bills.

18 JUDGE RILEY: Right.

19 MR. LEE: So how can -- what scale can you use  
20 on estimated bills? Up until right now all my  
21 bills -- these are the original bills, your Honor.

22 JUDGE RILEY: Okay.

1       MR. LEE:   These are the original bills right  
2 here that have been paid, and all of them are  
3 estimated (indicating).

4       MR. PARISE:   Let me ask a question.

5       MR. LEE:   All are estimated.

6       JUDGE RILEY:   Excuse me.

7                   All right.   Counsel, is it okay with  
8 you if your client asks a question?

9       MR. GOLDSTEIN:   Yes.

10      JUDGE RILEY:   Go ahead.

11      MR. PARISE:   We were getting regular reads on  
12 that account up through January of this year on a  
13 monthly basis.   Mr. Lee, what changed out there to  
14 prevent us from getting those readings, do you know?

15      MR. LEE:   Say what?   What's the question?

16      JUDGE RILEY:   He's saying that Commonwealth  
17 Edison was taking actual readings up through the end  
18 of December 2006.   And then in January 2007 they had  
19 to start making estimates because they could not get  
20 access to the property, is that correct?

21      MR. LEE:   It's not so.   They have my phone  
22 number.   It's not so.   They came out -- they came

1 out -- when did I -- let me ask you a question.  
2 When did I request for actual reading? Did I  
3 request for actual reading, or did you request,  
4 ComEd request? I did in August. That's how all  
5 this come about because I was tired of estimated  
6 bills. I wanted accurate reading. When I requested  
7 accurate reading -- they have my phone number. They  
8 have called me. I have let them in. But still I  
9 get estimated bills.

10 All this in my file that I cannot get  
11 because they got my file closed.

12 Why you have my file closed?

13 MR. PARISE: I don't know.

14 JUDGE RILEY: Mr. Lee, I don't know anything  
15 about that.

16 MR. LEE: How can I ask a question if I can't  
17 get to something that, you know, if I can answer  
18 that (sic)?

19 JUDGE RILEY: What kind of a dwelling is this?  
20 Is it an apartment or a single-family home?

21 MR. LEE: It's a three-flat, your Honor.

22 JUDGE RILEY: Three-flat.



1       MR. LEE:   I have the second floor.

2       JUDGE RILEY:   All right.   Are the units

3 individually metered?

4       MR. LEE:   Sir?

5       JUDGE RILEY:   Does each apartment have its own

6 separate electric meter?

7       MR. LEE:   Yes, sir.

8       JUDGE RILEY:   Okay.   And you're on the second

9 floor.

10                   And are you a tenant there, or do you

11 own the structure?

12       MR. LEE:   Sir?

13       JUDGE RILEY:   Are you a tenant, or do you own --

14       MR. LEE:   I'm sorry.   I'm kind of deaf in one

15 ear.

16       JUDGE RILEY:   I'm sorry.

17                   Do you own the apartment building?

18       MR. LEE:   No, sir, I rent.

19       JUDGE RILEY:   You're just a renter on the second

20 floor.

21       MR. LEE:   Yes.

22       JUDGE RILEY:   Okay.

1       MR. LEE:   They have my phone number.   They have  
2   called me.   I'm the only one in the building that  
3   lets them in --

4       JUDGE RILEY:   All right.

5       MR. LEE:   -- because you cannot get in the  
6   building.   It's a secured building.   They just now  
7   finding out that the building been remodeled.   And  
8   they remodeled before I moved there.   We have  
9   enclosed back porch where they're telling me now the  
10   meter is outside.   It's enclosed structure.   I moved  
11   in October of last year.   And up until now, they  
12   just now finally accepting the fact that it had been  
13   remodeled, enclosed.   And you cannot get in unless  
14   someone lets you in.

15       JUDGE RILEY:   Okay.

16       MR. LEE:   I have been the person that -- they  
17   have my phone number.

18       JUDGE RILEY:   Right.

19       MR. LEE:   They have my phone number.   They have  
20   called me, but they never showed up.   Sometime they  
21   show up, sometime they don't.   But they have called  
22   me several times.   All this in my file.

1 JUDGE RILEY: Okay.

2 MR. LEE: And they (sic) file right today, do  
3 not, do not comply with what I have here. These are  
4 the original receipt. These are the original.  
5 These are the original receipt, add it all to each  
6 bill, add it on each bill right here.

7 MR. PARISE: You have the originals. I don't  
8 disagree --

9 MR. LEE: I haven't did nothing, no more. And  
10 they have called my home and I let them in when I'm  
11 at home.

12 JUDGE RILEY: What does Commonwealth Edison want  
13 from you right now? What sum of money --

14 MR. LEE: They taken it all, your Honor.

15 JUDGE RILEY: No. I need a specific answer.  
16 What sum of money are they billing you  
17 for right now?

18 MR. LEE: My regular bill -- I got a bill now  
19 for \$44 right now, as of today, which I'm going to  
20 pay Friday. I have a bill of 40-some dollars, as of  
21 today.

22 JUDGE RILEY: Is that all that Common- --

1       MR. LEE: That's all I owe, your Honor, right as  
2 of today. All of my bills are paid for.

3       JUDGE RILEY: I don't understand the dispute.  
4 That sounds like a very routine --

5       MR. LEE: They went back to January saying that  
6 they were underbilling -- that's the only dispute.  
7 They went back to January saying they billed me  
8 from -- you see it right here, the three pages.  
9 From January up until September, up until October,  
10 they went back and rebilled me. I just want to  
11 know, how can they do that? What they find and all.

12       JUDGE RILEY: Well, if we were to go to hearing,  
13 they'd introduce evidence to explain that to you.

14       MR. LEE: They haven't yet answered it.

15       JUDGE RILEY: Well, no, I understand that, but  
16 we're not at hearing.

17                   I don't understand what -- I really  
18 don't understand what the dispute is. You say that  
19 they came back and rebilled you for an underbilling  
20 and, yet, you only owe \$44 for this month.

21       MR. LEE: Deceptive practice. Deceptive  
22 practice. That's exactly what it is. Deceptive

1 practice.

2                   You seen bills. You seen receipts.

3 I'm not behind in anything.

4       JUDGE RILEY: No, I understand that.

5       MR. LEE: You seen this.

6                   Well, you're asking me. That's the

7 wrong person. You need to ask them, why they did,

8 and what they based their finding on. I haven't

9 heard that, yet.

10       JUDGE RILEY: Does ComEd have any response?

11       MR. LEE: I heard all kind of excuse, but I

12 haven't heard them -- no more than them giving me

13 some inaccurate paper.

14                   This do not comply to what I have

15 here, your Honor. This do not comply at all to the

16 original, to what I have here. This does not. They

17 have "cancel" on my bill. And as you see, my bill

18 all paid up on the paper I have. On the paper I

19 have. They have "cancel" on there and everything.

20 They have things on there I didn't even know was on

21 there, in my file, cancellation. All this and that.

22 You don't see it here. You see what they want you

1 to see right here. But I have the original bills.

2 JUDGE RILEY: I don't understand what you --

3 MR. LEE: Like they say, "inactive." What you

4 mean by "inactive"? What's that?

5 See this "cancel" right there, your

6 Honor? Look at (indicating) --

7 JUDGE RILEY: I see the words.

8 MR. LEE: What's with all these "cancel"?

9 JUDGE RILEY: Let's ask the question and see if

10 we can get an answer.

11 MR. LEE: "Inactive, inactive, cancel, posted."

12 JUDGE RILEY: Excuse me. Let's get an answer

13 then. We have the gentleman right here that can

14 answer it, or do we?

15 MR. PARISE: Yes, you do.

16 Let me walk you through the document.

17 JUDGE RILEY: Okay. Fine.

18 MR. PARISE: This is a document that I put

19 together from regular Company records, showing

20 readings on his electric meter. Okay.

21 I believe you moved into that unit in

22 September of 2006, is that correct?

1       MR. LEE:  No, it isn't.  October 1st, '06.

2       JUDGE RILEY:  Okay.

3       MR. PARISE:  I show September 29th.  And that's

4 where -- you see "service activation" on here, sir?

5               I'm sorry.  I'll talk a little louder.

6               Do you see -- where you see "service

7 activation," on this document here --

8       MR. LEE:  For what month?

9       MR. PARISE:  For September of 2006,

10 September 29th, with a reading of 72294, that's

11 showing the date that you moved in there.  When you

12 see things prior to that, where it says "inactive,"

13 it --

14       MR. LEE:  That's wrong.

15       MR. PARISE:  -- means there's nobody in the

16 unit.

17       MR. LEE:  That's wrong.  That's wrong.  I moved

18 in October.  I moved October '06, the 1st of

19 October '06.

20       JUDGE RILEY:  We're only talking about two days,

21 Mr. Lee.

22       MR. LEE:  Well, if you're going to have a

1 correct record, shouldn't it be accurate, your  
2 Honor?

3 JUDGE RILEY: They don't know --

4 MR. LEE: Shouldn't it be accurate?

5 JUDGE RILEY: This is the day that service was  
6 activated, not the day that you moved in.

7 MR. LEE: It wasn't activated before I moved in.  
8 It was activated after I moved in.

9 MR. PARISE: But if you look at your bills, sir,  
10 your bills would have reflected the October 29th  
11 start date. You never called --

12 MR. GOLDSTEIN: September 29th.

13 MR. PARISE: September 29th.

14 MR. LEE: I never called September 29th?

15 MR. PARISE: No.

16 What I'm saying is, your first bill  
17 you received would have reflected the September 29th  
18 begin date, start date.

19 Do you have all your bills?

20 MR. LEE: Your Honor, yes, I do.

21 MR. PARISE: Could you show me that bill?

22 MR. LEE: '06, I have it at home. '06.



1                   Let me tell you something, your Honor,  
2 your Honor, '06 don't have nothing to do with this.  
3 From January until now -- I'm here from January till  
4 now is why I'm here.

5       MR. PARISE: I was trying to walk you through  
6 the whole thing.

7       JUDGE RILEY: Mr. Lee, let him explain --

8       MR. LEE: Go ahead.

9       JUDGE RILEY: -- the rest of --

10      MR. LEE: He's not accurate. I disagree with  
11 what he's talking about so far.

12      MR. PARISE: Let me give you both --

13      MR. LEE: I moved in October. The lights was  
14 not on.

15      JUDGE RILEY: Understood. We understand that,  
16 Mr. Lee, we understand that.

17                   But the service activation date is  
18 September 29, 2006.

19      MR. LEE: I understand that.

20                   Service activated what?

21      JUDGE RILEY: Service activation. That's the  
22 day your service started.

1       MR. LEE:   Okay.   What's with all these "cancel"  
2   and "posted"?

3       JUDGE RILEY:   Let him explain that, please.

4       MR. PARISE:   Okay.   So we started your bill  
5   September 29th.   You have a regular Company reading  
6   on October the 6th.   Another Company reading on  
7   11 -- September the 6th.   Another regular Company  
8   reading on December the 7th, 2006.   Okay.   And then  
9   we started estimating the bills in January of 2007.

10                   Now, we estimated the bills in January  
11   until we had an actual regular Company reading in  
12   May of 2007.

13       MR. LEE:   In May 2007?

14       MR. PARISE:   May 8th, 2007.

15       MR. LEE:   Your Honor, I have the original bill  
16   right here saying "estimated."   Now, let's get this  
17   right, right here, okay.   You say May, right?

18       MR. PARISE:   The original bill --

19       MR. LEE:   April -- I have it right here.   Can we  
20   do this.   We have May right here, May '07; May '07,  
21   May the 9th, 2007, estimated bill, estimated bill,  
22   your Honor, estimated bill.

1       MR. PARISE:  You don't -- let me finish.

2       MR. LEE:  You're saying a reading.  They came

3 out --

4       MR. PARISE:  If you let me finish.

5       THE REPORTER:  Excuse me.

6       JUDGE RILEY:  All right.  We're off the record.

7 We're off the record.

8                               (Whereupon, a discussion

9                               was had off the record.)

10       JUDGE RILEY:  Please proceed.

11       MR. PARISE:  What we were doing from the

12 January 9th bill, okay -- actually, through

13 September was we were estimating the bills.  Then we

14 found that we had a regular Company reading on May

15 the 8th and then we were actually out there on

16 September the 17th, I think based on Mr. Lee's

17 request, to read the meter.

18                       We identified that the estimated bills

19 that we rendered to the customer, were too low.

20 What we do then is, we go back and we actually

21 cancel those bills and, based on the forecasted

22 reading, the estimate, and then we rebill them,

1 based on the actual reading that we took.

2 And that's what we did in this case  
3 here.

4 JUDGE RILEY: Okay.

5 MR. PARISE: And as a result of that -- right  
6 now, as you said, Mr. Lee, your total outstanding  
7 balance is \$43 even.

8 JUDGE RILEY: Mr. Lee, that's not an outrageous  
9 amount. It's not an outrageous amount. It's \$43  
10 for an electric bill for a month.

11 MR. LEE: Anytime you go back -- I have a year  
12 worth of estimated bill, and you're going to tell me  
13 it's not -- they already taken the money. They went  
14 back estimated from January, but they -- can you  
15 show me an accurate bill for '07? Can you show me  
16 an accurate bill you have, after reading --

17 MR. PARISE: This document that I gave you,  
18 Mr. Lee, it shows you on May the 6th --

19 MR. LEE: I just showed you --

20 JUDGE RILEY: Mr. Lee, please.

21 MR. PARISE: On May the 8th -- let's all look at  
22 this together, it's a regular Company reading. This

1 is a legal document. And if you look, you had  
2 another regular Company reading on September 17th,  
3 that you requested, where it says "special Company  
4 reading." We didn't use that reading to bill your  
5 account, because it was in line. We didn't cancel  
6 again and rebill it.

7 MR. LEE: September what?

8 MR. PARISE: 17th.

9 While you're looking. The reason we  
10 didn't use that to bill the account was that it was  
11 in the mid-bill, it fell in line with your estimated  
12 reads. So they allowed the estimated reads to  
13 continue --

14 MR. LEE: You don't have no accurate reading.

15 MR. PARISE: We had a reading. We just didn't  
16 use it to bill your account, sir.

17 MR. LEE: How can you do that? How can you do  
18 that?

19 JUDGE RILEY: What he's saying is --

20 MR. LEE: I'm saying --

21 JUDGE RILEY: Excuse me.

22 What he's saying is that because the

1 estimates were in line with the actual reading there  
2 was no -- it was not necessary to rebill the  
3 account. Prior to that they did an actual reading  
4 and found out that the estimates were not in line  
5 with that actual reading. And that's when they went  
6 and cancelled all the prior readings and rebilled  
7 you from January through, I guess it was May.

8                   Now, is it your contention -- is that  
9 what you're disputing, is this rebilling procedure  
10 that they went through?

11       MR. LEE: Exactly.

12       JUDGE RILEY: Okay.

13       MR. LEE: That's part of it.

14       JUDGE RILEY: Because --

15       MR. LEE: That's part of it. Because when they  
16 rebilled me, I had to pay more money. They taken  
17 more money.

18       JUDGE RILEY: Okay.

19       MR. LEE: They taken more money.

20       JUDGE RILEY: Now, do you know how much more  
21 money you were required to pay?

22       MR. LEE: 100 and something.

1                   How much was it, 100 and what? 180?

2       MR. PARISE:  It wasn't that much.

3       MR. LEE:  I put down \$50 --

4       MR. PARISE:  The difference between --

5       MR. LEE:  And I have yet to see them prove

6 actual -- I have actual bill -- I mean estimated.

7 All my bills estimated, all of them estimated, even

8 though I requested an accurate reading, I have not

9 yet to receive a bill with actual reading.  All

10 these bills estimated, regardless how they did

11 (sic), what they said they did.

12       JUDGE RILEY:  All right.  Let's go off the

13 record for a minute.

14                               (Whereupon, a discussion

15                               was had off the record.)

16       JUDGE RILEY:  Mr. Lee, you've made it very

17 apparent that you are not willing to engage --

18       MR. LEE:  I don't want to --

19       JUDGE RILEY:  Excuse me.  Let me speak.

20                   That you are not willing to engage in

21 settlement discussions with Commonwealth Edison with

22 regard to the rebilling procedure that you dispute

1 or the sum of money that was involved, which is  
2 roughly \$183, that you were rebilled, is that  
3 correct?

4 MR. LEE: That's correct.

5 JUDGE RILEY: Then the only thing I can think of  
6 doing is to set this matter for a hearing, for a  
7 formal hearing.

8 MR. LEE: Yes, sir. Yes, sir, formal hearing.

9 JUDGE RILEY: And I'm afraid December is out of  
10 the question.

11 Let's go off the record.

12 (Whereupon, a discussion  
13 was had off the record.)

14 JUDGE RILEY: Mr. Lee, you have indicated that  
15 you are totally and unalterably opposed to any kind  
16 of settlement discussions with ComEd at all. That  
17 you will do nothing more than go to hearing on this,  
18 is that correct?

19 MR. LEE: I haven't heard them yet to explain  
20 the action to taking my money after I paid all my  
21 bill. I haven't heard them really explain yet that  
22 I haven't got actual bill. So until they do, I feel



1 that's my only option is to have a formal hearing.

2 JUDGE RILEY: All right, then, select a date in

3 January. The 21st is a holiday.

4 MR. GOLDSTEIN: Some date before then, Judge.

5 JUDGE RILEY: Oh, yeah. I was going to suggest

6 Tuesday, January 8th. It's well after the

7 New Year's holiday.

8 MR. PARISE: That, I can't do, your Honor.

9 JUDGE RILEY: Okay.

10 MR. PARISE: The 9th is wide open.

11 How about you, Mark?

12 MR. GOLDSTEIN: That's fine.

13 JUDGE RILEY: January 9 for your hearing.

14 MR. GOLDSTEIN: That's fine.

15 JUDGE RILEY: That's a Wednesday.

16 MR. LEE: Your Honor, can I say something?

17 JUDGE RILEY: Go ahead.

18 MR. LEE: Will ComEd release my file, so I get

19 information to help my case, so I can prove what I'm

20 saying is true? My file has been denied to me --

21 MR. GOLDSTEIN: Mr. Lee, may I suggest --

22 MR. LEE: Excuse me. I'm talking to the Judge.

1 JUDGE RILEY: Go ahead.

2 MR. LEE: -- because I filed this petition. It  
3 has nothing to do with what I don't did (sic). I  
4 paid all my bills. I comply with ComEd. And they  
5 call some -- sanction me because I file with  
6 Illinois Commerce. I cannot get in my account for  
7 anything.

8 JUDGE RILEY: Mr. Goldstein?

9 MR. GOLDSTEIN: Mr. Lee, if you request of me,  
10 in writing, what information you want from ComEd, we  
11 will attempt to comply, if the information is  
12 relevant to your file and this proceeding.

13 JUDGE RILEY: Okay. Do you understand?

14 MR. LEE: I understand. But I disagree with it.  
15 I disagree with it because, number one, before this  
16 hearing come up I can get any information on my file  
17 I chose to. I have these. I have something else.  
18 But now why do I have to put it in writing for  
19 something I'm paying for? That's my file. You're  
20 using Illinois Commerce to hinder my file, keep me  
21 from getting knowledge from my file.

22 JUDGE RILEY: No, that's not correct, either.

1 Not using the Illinois Commerce Commission for any  
2 such purpose.

3 MR. LEE: I called and they told me go to  
4 Illinois Commerce to get to my file.

5 JUDGE RILEY: Did you get -- those documents  
6 that are in that folder, did you obtain those from  
7 Commonwealth Edison?

8 MR. LEE: Before I filed with Illinois Commerce,  
9 yes, I did.

10 JUDGE RILEY: Okay. It was before you filed  
11 this complaint. And now you're saying that because  
12 the complaint was filed, you've been shut off from  
13 any further information.

14 MR. LEE: I don't understand it at all.

15 JUDGE RILEY: Okay. Mr. Goldstein, you said --

16 MR. LEE: I hear it, but I don't understand the  
17 action. No, I do not understand. Other people  
18 don't understand it, either.

19 JUDGE RILEY: Okay.

20 MR. LEE: Other people don't understand it.

21 JUDGE RILEY: What Mr. Goldstein has said, that  
22 if you --

1       MR. GOLDSTEIN: Will you stop talking for a  
2 moment so I can respond to you? My goodness.

3               As far as I know, Judge, his file is  
4 not closed to him. If he calls the 1-800 number he  
5 should be able to get information. If he can't get  
6 information, what he should do is make a written  
7 request of me and I will get the information he's  
8 requesting.

9       JUDGE RILEY: Okay. And what's the 1-800  
10 number?

11       MR. LEE: It's on the bill, your Honor.

12       JUDGE RILEY: Okay.

13       MR. LEE: Your Honor, I paid these bills and I  
14 got papers out my file before I filed. Now, I don't  
15 have the knowledge to understand how to go in my  
16 file and get stuff. If I got papers before I filed  
17 this, why should I have to go through all these  
18 changes now?

19       JUDGE RILEY: I don't know. I don't know.

20       MR. LEE: It's right in the file.

21       MR. GOLDSTEIN: Is January 9th --

22       MR. LEE: But they say I can't -- they said that

1 I never did and you've seen proof. You're looking  
2 at the proof that I had got this before they closed  
3 my file. I cannot get in my file.

4 JUDGE RILEY: I don't understand that.

5 MR. LEE: That's the reason I don't want to  
6 negotiate with them. Anytime you tell me something  
7 like that and I know better, you better take it to  
8 trial. I don't want to negotiate with them.

9 JUDGE RILEY: All right. Then we're going to  
10 set January 9 at 10:00 a.m. for trial in this  
11 matter, and we will reconvene at that time.

12 Again, Mr. Lee, bring -- you will be  
13 obligated to present your case first, to provide any  
14 testimony and/or documents, any other evidence that  
15 you have --

16 MR. LEE: I need to get --

17 JUDGE RILEY: -- to sustain your claim.

18 Any information that you want to get,  
19 that's in your file at Commonwealth Edison, you can  
20 contact Mr. Goldstein in writing and he will get  
21 that information for you. He said that he will.

22 MR. LEE: Why do I have to go through him to

1 get, when I can get it from the Company like I did.

2 JUDGE RILEY: Well, call the 800 number and see

3 if you can get it from them.

4 MR. LEE: Don't you think I did? I have the

5 papers before I filed this. I mean, what's that not

6 to say --

7 JUDGE RILEY: I don't know why Commonwealth

8 Edison closed your file. But the solution --

9 MR. LEE: That's what they tell me. My file is

10 closed.

11 JUDGE RILEY: But the solution to your problem

12 is to contact Mr. Goldstein in writing and he'll get

13 the information. Why you have to do that, I don't

14 know.

15 MR. LEE: Why should I go through him? He's the

16 one that's in court with me. Why should I go

17 through him? Why can't I go straight to my file?

18 JUDGE RILEY: Because he's the one who can get

19 the information.

20 MR. LEE: You the one that had my file closed,

21 sir?

22 MR. GOLDSTEIN: I did not.

1       MR. LEE:   Are you the one that had my file  
2 closed?

3       JUDGE RILEY:   No, Mr. Lee, no one here closed  
4 your file.   I don't know what that's about.

5       MR. LEE:   Your Honor, are you familiar with --  
6 your Honor, you see these bills I paid?

7       JUDGE RILEY:   Yes, I have seen them.

8       MR. LEE:   You seen these bills I paid?   You  
9 going to tell me there's no difference when my file  
10 closed and when it open?

11       JUDGE RILEY:   I don't understand your question.  
12 I don't understand what you just --

13       MR. LEE:   You see these documents here?

14       JUDGE RILEY:   Yes, I see those.

15       MR. LEE:   How else can I get stuff out my file?  
16 And I got them before I closed my file.   And right  
17 now we're making a big issue if my file open or  
18 closed, when all you got to do is check.

19                   I'll call right now.   I got cell  
20 phone.   I'll call right now.   My file is closed  
21 because -- they'll tell me, because I filed with  
22 Illinois Commerce, that's the reason --

1       MR. PARISE:   You have --

2       MR. LEE:    That's the reason we're having this

3 case monitored as of the date -- as of today.  I'm

4 going to take and have some people look at this.

5 It's more than 180-some dollars, what they put me

6 through.  And then they still not telling the truth

7 in front of my face.

8       MR. PARISE:   Mr. Lee, let's call, right now.

9       JUDGE RILEY:   Call the 1-800 number?

10      MR. PARISE:   1-800-334 --

11      MR. LEE:    It's right on the bill.

12      MR. PARISE:   1-800-334-7661.

13      MR. LEE:    Right on the bill, your Honor.

14      MR. PARISE:   Let's call.

15      JUDGE RILEY:   Stay on the record.

16      MR. LEE:    No problem.

17                    You got a phone, you call.  You get

18 in, you're lawyer, you call.  Watch this.  Then

19 we'll give it to the Judge, let the Judge see.

20                    You want to call, here (indicating).

21      JUDGE RILEY:   Mr. Lee, Mr. Lee, you want the

22 records, you make the phone call.  It's a 1-800



1 number.

2 MR. LEE: After this, I'm going to the media  
3 with this.

4 JUDGE RILEY: Call. Make the call if you want  
5 to make the call.

6 MR. LEE: Yes, I do. I'm calling now.

7 Your Honor, would you recognize this  
8 is ComEd I'm calling?

9 JUDGE RILEY: I have no idea whether --

10 MR. LEE: Can you hear?

11 JUDGE RILEY: I can't --

12 MR. LEE: Let's let somebody hear. Would you  
13 recognize that? Is that your company I'm calling?

14 JUDGE RILEY: Why don't you turn that off.  
15 Let's make it on the speakerphone right here.

16 MR. LEE: Yes, sir.

17 JUDGE RILEY: Give me the number, again.

18 MR. PARISE: 1-800-334-7661.

19 JUDGE RILEY: (Dialing.)

20 Mr. Lee, you've got to be talking.

21 MR. LEE: Yes.

22 "Thank you for calling ComEd. You

1       can also visit us on the Web at  
2       www.comedservice.com.

3                "If you're calling about a power  
4       outage or down wire, press 1.

5                "For account balance, bill and rate  
6       information or payment options, 2.

7                "To start stop or transfer service,  
8       3.

9                "To provide your meter reading or  
10      update your telephone number or for information  
11      on major parts or damage claim, 4."

12      MR. LEE:   (Indicating.)

13                "For new service, press 1."

14      MR. LEE:   (Indicating.)

15                "All of our customer service  
16      representatives are assisting other callers.  
17      Rather than wait on hold, we would like to  
18      offer you the opportunity to keep your place  
19      in line and have us call you back when it's  
20      your turn between two and four minutes from  
21      now.  You will not lose your place in line if  
22      you choose to use this service.

1                    "To receive a call back, press 1.  
2                    "For a description of a call back  
3                    and further options, press 2."  
4                    JUDGE RILEY: No, let's start over again. I  
5                    think you hit the wrong --  
6                    MR. PARISE: No.  
7                    JUDGE RILEY: 334-7661 (dialing)?  
8                    MR. GOLDSTEIN: Yes.  
9                    MR. LEE: That's not the 1-800 number. You said  
10                   the 1-800 number.  
11                   JUDGE RILEY: I just hit the 1-800.  
12                   "Thank you for calling ComEd."  
13                   JUDGE RILEY: Now, follow the prompts again.  
14                   "You can also visit us on the Web at  
15                   www.comedservice.com.  
16                   "If you're calling about a power  
17                   outage or down wire, press 1.  
18                   "For account balance, bill and rate  
19                   information or payment options, 2.  
20                   "To start, stop or --"  
21                   MR. LEE: (Indicating.)  
22                   "To check your balance or request a

1       duplicate bill, press 1.

2               "For payment options, 2.

3               "To verify payment made or locate a

4       payment agent, 3.

5               "To request information or change your

6       rates --"

7       MR. LEE: I need to talk to a customer service

8       rep.

9       JUDGE RILEY: Press 1, I think you'll get --

10       that was for duplicate bills.

11       MR. LEE: I need to talk to a customer

12       representative.

13       JUDGE RILEY: You're going to have to press a

14       button to get --

15               "To check your balance or request a

16       duplicate bill, press 1."

17       MR. LEE: I'm going to ask for the balance.

18       MR. PARISE: Can you hit zero? Will zero work?

19               "To verify payment made or locate a

20       payment agent, 3.

21               "To request information or change your

22       rates, 4.

1 MR. LEE: (Indicating.)  
2 "To verify a payment made at an  
3 authorized payment agent, press 1."  
4 MR. LEE: Dial this over. Dial this over.  
5 MR. PARISE: Hit zero. Hit zero.  
6 JUDGE RILEY: He just turned it off.  
7 MR. LEE: (Indicating.)  
8 JUDGE RILEY: No. Stop. Stop.  
9 Are you dialing them again?  
10 MR. LEE: Yes.  
11 JUDGE RILEY: Hit 9. 1-800-334-7661.  
12 MR. LEE: (Indicating).  
13 (Short pause.)  
14 CINDY: This is Cindy. May I have your  
15 account number?  
16 MR. LEE: Yes. It's 5645154119.  
17 CINDY: Your first and last name?  
18 MR. LEE: Peter Lee.  
19 CINDY: And the password on the account?  
20 MR. LEE: I discontinued that months ago, years  
21 ago.  
22 CINDY: One moment.

1                   I apologize for that.

2                   How may I help you today, Mr. Lee?

3       MR. LEE:   Yes, I would like to know -- I would

4 like to know some things.

5                   What date did I requested the meter

6 reader come out to my house?   What month was that?

7 Was it August or September?

8       CINDY:    One moment.

9                   One more moment.

10       MR. LEE:   Okay.

11       CINDY:    That was in September.

12       MR. LEE:   September I requested them to come

13 out.

14       CINDY:    Right.

15       MR. LEE:   Can you tell me between August --

16 between August and now have I had an actual bill

17 reading -- an actual bill?   Could you just tell me

18 that, please?

19       CINDY:    Well, the only two bills that have been

20 issued for October and November, those have been

21 estimates.

22       MR. LEE:   Okay.   Even though I asked in August

1 for an accurate reading. I never received an  
2 accurate reading, right -- is that correct? No  
3 accurate reading on the bill, right?

4 CINDY: In August there was an actual reading.

5 MR. LEE: It was? In August?

6 CINDY: Well, it was for the month of August.  
7 Yes.

8 MR. LEE: That's what you have on my bill?  
9 Okay. Thank you very much. That's  
10 interesting. Thank you very much.

11 MR. PARISE: Wait. Wait. Wait.

12 MR. LEE: Thank you very much.

13 JUDGE RILEY: You wanted to get some documents,  
14 too, didn't you?

15 MR. PARISE: Yeah.

16 MR. LEE: What?

17 JUDGE RILEY: You wanted to get some stuff.

18 MR. GOLDSTEIN: Don't you want your documents?

19 MR. LEE: If I wanted to get some, your Honor, I  
20 get them on my own without them being present.

21 JUDGE RILEY: Hold on. You said that the  
22 purpose --

1 CINDY: Hello?

2 MR. LEE: Yes.

3 MR. PARISE: Cindy, hold on for a second.

4 CINDY: Okay.

5 JUDGE RILEY: You said --

6 MR. LEE: Excuse me for a minute.

7 Miss --

8 CINDY: Hello?

9 MR. LEE: Hello, Miss?

10 CINDY: Yes.

11 MR. LEE: When did they take over my file back?

12 My file was closed to me. What month was my file

13 closed to me?

14 CINDY: What date was what? I'm sorry.

15 MR. LEE: What month was my file closed to me?

16 Because I had file with Illinois Commerce, they had

17 closed my file. What month was that?

18 CINDY: To close out your account?

19 MR. LEE: My file. My file. My file.

20 CINDY: What file?

21 MR. LEE: The bills, records, documents. That's

22 a file. What month was that?



1 CINDY: Okay. I don't know what you mean by  
2 "file." We close out an account. We don't close a  
3 file.

4 MR. LEE: Because -- what month did I file with  
5 Illinois Commerce?

6 CINDY: Okay. I'm having a hard time hearing.  
7 I don't know if you have me on speakerphone.

8 MR. LEE: Yes, you are.

9 CINDY: Okay.

10 MR. LEE: What month did you file -- did I file  
11 with Illinois Commerce? That you have in your  
12 record that I filed with Illinois Commerce for my  
13 account?

14 CINDY: One moment.

15 That was in October.

16 MR. LEE: October.

17 CINDY: Yes.

18 MR. LEE: Now, when did I make a request to get  
19 some information out of my file, was that September?  
20 It was September when I made a request to get some  
21 information out of my file, right? Was it  
22 September?

1 CINDY: One moment.

2 We sent an activity statement

3 October the 4th.

4 MR. LEE: An "activity." Would you explain

5 that?

6 CINDY: That was information on your account.

7 MR. LEE: Activity came in when?

8 CINDY: It was requested on October the 4th.

9 MR. LEE: And was I denied because of Illinois

10 Commerce?

11 CINDY: What was denied? We sent --

12 MR. LEE: The information.

13 CINDY: We sent out an activity statement.

14 MR. LEE: The information that I requested, was

15 I denied it because of Illinois Commerce?

16 CINDY: No. Those were mailed out to you.

17 MR. LEE: That was before I filed with Illinois

18 Commerce. After I filed with Illinois Commerce,

19 have my file been closed to me?

20 CINDY: After you filed that, there has been

21 nothing else been sent to you.

22 MR. LEE: That's what?

1 CINDY: After you filed that complaint there  
2 have been no requests to have anything sent to you.  
3 MR. LEE: There hasn't?  
4 CINDY: No.  
5 MR. LEE: Okay. Thank you very much.  
6 MR. PARISE: Would you like more?  
7 MR. LEE: Don't worry about it.  
8 JUDGE RILEY: Miss, this is Judge Riley from the  
9 Illinois Commerce Commission. And what Mr. Lee was  
10 requesting was, he was attempting to determine that  
11 since he had filed a complaint with the Illinois  
12 Commerce Commission against Commonwealth Edison, had  
13 any of his documents been denied to him. And that  
14 was the ultimate purpose of this phone call, so he  
15 could determine whether or not that had actually  
16 happened.  
17 CINDY: Okay. No. After that complaint there  
18 was no request for anything to be faxed or mailed to  
19 him.  
20 JUDGE RILEY: Okay.  
21 CINDY: So, he can't say that we denied that.  
22 JUDGE RILEY: Okay. Because the complaint was

1 filed on October 25th, 2007, there have been no --  
2 he has made no requests for information subsequent  
3 to that time, is that correct?

4 CINDY: Correct.

5 JUDGE RILEY: All right. Mr. Lee, did you have  
6 anything further that you wanted to ask --

7 MR. LEE: Yes, I do.

8 If I haven't made a request, why would  
9 I ask you about my account being open again? So as  
10 of now I can ask for anything out of my file that I  
11 chose, is that correct, Miss?

12 CINDY: You mean, if you request to have  
13 information on your account will we provide you that  
14 information?

15 MR. LEE: Yes.

16 CINDY: Yes, we would.

17 MR. LEE: Thank you.

18 JUDGE RILEY: So you still have full access to  
19 your account even though the complaint has been  
20 filed.

21 MR. LEE: You told me to go through him.

22 JUDGE RILEY: All right. Well --

1 CINDY: Is there anything else that I can help  
2 you with today, Mr. Lee?

3 MR. LEE: No. Unless your Honor -- unless the  
4 Judge has something to say.

5 JUDGE RILEY: No, no. It's his account.

6 MR. LEE: I have nothing to say.

7 JUDGE RILEY: All right. Thank you, very much.

8 CINDY: No problem.

9 JUDGE RILEY: Take care.

10 CINDY: Thank you for calling ComEd.

11 JUDGE RILEY: Bye.

12 CINDY: Bye-bye.

13 JUDGE RILEY: The reason that we suggested that  
14 you go through Mr. Goldstein is because you said  
15 that your account had been shut off. And the young  
16 lady just explained your account has not been shut  
17 off. You have full access to all your information.

18 MR. LEE: Your Honor --

19 JUDGE RILEY: So we're back to the hearing date  
20 of January 9. Do you still intend to go through  
21 with the hearing?

22 MR. LEE: Exactly. More so. More so than ever

1 now.

2 JUDGE RILEY: Okay.

3 MR. LEE: I'm planning on bringing attention  
4 because they did it to me, they'll do it to somebody  
5 else. I'm planning on going to the media. I'm  
6 getting some attention on this. All because of  
7 180-some dollars? What they put me through? Let's  
8 see their records stack up to it. Let's see how  
9 they get out of this.

10 JUDGE RILEY: All right.

11 MR. LEE: More so than ever now. Because I  
12 ain't got nothing to lose. My bills already paid.  
13 They took the money.

14 JUDGE RILEY: All right. Then it's set that we  
15 will convene on January 9, 2008, at 10:00 a.m. for  
16 hearing.

17 And, again, Mr. Lee, you are going to  
18 be required to -- you have the burden of proof.  
19 You're going to be required to go first with your  
20 witnesses and any documentary evidence that tend to  
21 prove your claim.

22 MR. LEE: Yes, sir.

1 JUDGE RILEY: And it will be a formal  
2 evidentiary hearing.

3 MR. LEE: Yes, sir.

4 JUDGE RILEY: One person will speak at a time.

5 MR. LEE: Yes, sir.

6 JUDGE RILEY: Mr. Goldstein will have full right  
7 of cross-examination on anything that you introduce  
8 into evidence or anything that you testify to.  
9 After which time their witness will testify, produce  
10 documents, if any, and you will have full  
11 opportunity to cross-examine them.

12 MR. LEE: Yes, sir.

13 JUDGE RILEY: And, again, as I said, if someone  
14 comes in to represent you, it has to be a licensed  
15 attorney in Illinois.

16 MR. LEE: Or a witness.

17 JUDGE RILEY: No, no. You can have any witness  
18 that tends to corroborate what you're saying.

19 MR. LEE: Exactly. That's what a witness is.

20 JUDGE RILEY: No. I said an attorney. If  
21 you're going to -- if anybody is going to represent  
22 you, it has to be a licensed attorney in Illinois.

1 A witness is not a representative.

2 MR. LEE: I'm just speaking of witness. I know  
3 what a representative is.

4 JUDGE RILEY: You can bring in a witness --

5 MR. LEE: That's what I'm saying. That's all  
6 I'm saying.

7 JUDGE RILEY: What I was saying to you is if  
8 someone comes in to represent you --

9 MR. LEE: I understand that, your Honor.

10 JUDGE RILEY: -- has to be a licensed attorney  
11 in Illinois.

12 MR. LEE: I understand that, your Honor.

13 JUDGE RILEY: All right.

14 Is there anything further?

15 MR. LEE: No, sir.

16 JUDGE RILEY: Anything further from ComEd?

17 MR. GOLDSTEIN: Nothing.

18 JUDGE RILEY: All right. Then we will reconvene  
19 on January 9 at 10:00 a.m. Thank you very much.

20 (Whereupon, the above-entitled  
21 matter was continued to  
22 January 9, 2007.)